

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

WILBERT EUGENE PROFFITT,

Petitioner,

V.

Civil Action No. 3:08CV24

UNITED STATES OF AMERICA, *et al.*,

Respondents.

MEMORANDUM OPINION

Petitioner, a federal parolee, submitted this petition for a writ of habeas corpus to the United States District Court for the District of Maryland. On January 9, 2008, the Maryland District Court transferred the petition to this Court. By Memorandum Order entered on February 29, 2008, this Court filed Petitioner's petition for a writ of habeas corpus. The Court's records reflected that, at the time Petitioner filed the petition for a writ of habeas corpus, he was a fugitive. Therefore, by Memorandum Order entered on February 29, 2008, the Court directed Petitioner to show cause, within fifteen (15) days of the date of entry thereof, why the present action should not be dismissed pursuant to the fugitive disentitlement doctrine. *See Fowler v. Leeke*, 509 F. Supp. 544, 546 n.3 (D.S.C. 1979). The Court warned Petitioner that the failure to timely and fully respond to the Memorandum Order will result in dismissal of the action. *See* Fed. R. Civ. P. 41(b). Petitioner has not responded to the February 29, 2008 Memorandum Order. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall issue.

Date: 4-7-08
Richmond, Virginia

/s/
James R. Spencer
Chief United States District Judge